

STATE OF NORTH CAROLINA

COUNTY OF WAKE

REBECCA HARPER, et al.,

Plaintiffs,

v.

DAVID LEWIS, IN HIS OFFICIAL CAPACITY AS SENIOR
CHAIRMAN OF THE HOUSE SELECT COMMITTEE ON
REDISTRICTING, et al.,

Defendants.

FILED

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
18 CVS 014001

2019 OCT 23 P 2:44

WAKE CO. C.S.C.

BY

(Signature)

**NOTICE OF FILING OF
AFFIDAVITS**

NOW COME Intervenor Applicants Ted Budd, Virginia Foxx, and Richard Hudson (hereinafter "Intervenor Applicants"), and through their counsel, hereby serve this Notice of Filing of Affidavits of Intervenor Applicants, which were also attached to Intervenor Applicants' Memorandum in Opposition to Plaintiffs' Motion for Preliminary Injunction.

Respectfully submitted this 23rd day of October, 2019.

SHANAHAN LAW GROUP, PLLC

By: *(Signature)*

Kieran J. Shanahan, NCSB # 13329

John E. Branch III, NCSB # 32598

Andrew D. Brown, NCSB #45898

Nathaniel J. Pencook, NCSB # 52339

128 E. Hargett Street, Suite 300

Raleigh, North Carolina 27601

Telephone: (919) 856-9494

Facsimile: (919) 856-9499

kieran@shanahanlawgroup.com

jbranch@shanahanlawgroup.com

abrown@shanahanlawgroup.com

npencook@shanahanlawgroup.com

Attorneys for Intervenor Applicants

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing NOTICE OF FILING OF AFFIDAVITS upon all parties to this matter on October 23, 2019, by placing a copy in the United States Mail, First Class, postage prepaid and addressed as follows:

Burton Craige, NC Bar No. 9180
Narendra K. Ghosh, NC Bar No. 37649
Paul E. Smith, NC Bar No. 45014
PATTERSON HARKAVY LLP
100 Europa Dr., Suite 420
Chapel Hill, NC 27517
bcraige@pathlaw.com
ngghosh@pathlaw.com/psmith@pathlaw.com

R. Stanton Jones
Elisabeth S. Theodore
Daniel F. Jacobson
William C. Perdue
Sara Murphy D' Amico
Graham W. White
ARNOLD & PORTER KAYE SCHOLER LLP
601 Massachusetts Avenue NW
Washington, DC 20001-3743
stanton.jones@arnoldporter.com

Marc E. Elias
Aria C. Branch
PERKINS COIE LLP
700 13th Street NW
Washington, DC 20005-3960
melias@perkinscoie.com

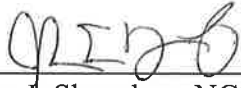
Abha Khanna
PERKINS COIE LLP
1201 Third Avenue, Ste. 4900
Seattle, WA 98101-3099
akhanna@perkinscoie.com

Phillip J. Strach
Michael McKnight
Alyssa Riggins
Thomas A. Farr
OGLETREE, DEAKINS, NASH, SMOAK
& STEWART, P.C.
4208 Six Forks Road, Suite 1100
Raleigh, NC 27609
Philip.Strach@ogletree.com
Michael.McKnight@ogletree.com
Alyssa.Riggins@ogletree.com
Thomas.Farr@ogletree.com

Amar Majmundar
Paul Cox
Stephanie Brennan
N.C. DEPARTMENT OF JUSTICE
114 W. Edenton St.
Raleigh, N.C. 27603
amajmundar@ncdoj.gov
pcox@ncdoj.gov
sbrennan@ncdoj.gov

This the 23rd day of October, 2019.

SHANAHAN LAW GROUP, PLLC

By: 
Kieran J. Shanahan, NCSB # 13329
John E. Branch III, NCSB # 32598
Andrew D. Brown, NCSB #45898
Nathaniel J. Pencook, NCSB # 52339
128 E. Hargett Street, Suite 300
Raleigh, North Carolina 27601
Telephone: (919) 856-9494
Facsimile: (919) 856-9499
kieran@shanahanlawgroup.com
jbranch@shanahanlawgroup.com
abrown@shanahanlawgroup.com
npencook@shanahanlawgroup.com
Attorneys for Intervenor Applicants

STATE OF NORTH CAROLINA
COUNTY OF WAKE

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
FILE NO.: 19 CVS 012667

REBECCA HARPER, *et al.*,

Plaintiffs,

v.

REPRESENTATIVE DAVID R. LEWIS,
IN HIS OFFICIAL CAPACITY AS
SENIOR CHAIRMAN OF THE HOUSE
SELECT COMMITTEE ON
REDISTRICTING, *et al.*,

Defendants.

AFFIDAVIT OF REP. VIRGINIA FOXX

NOW COMES Representative Virginia Foxx and, first being duly sworn, deposes and says as follows:

1. I am over the age of eighteen (18) and am competent to testify to the matters set forth herein. The following is true of my own personal knowledge and I otherwise believe it to be true.

2. I am the member of Congress representing North Carolina's Fifth Congressional District.

3. I have represented North Carolina's Fifth Congressional District since 2005.

4. For the past 14 years, I have spent countless hours meeting with my constituents, developing relationships with them, understanding their problems and needs.

5. I therefore know what I must do as a congresswoman to serve my constituents and what legislation to support that best benefits my constituents. I have, accordingly,



developed a campaign strategy that is tailored to appealing to the voters of North Carolina's Fifth Congressional District. I have therefore relied on the contours of this district for the past 14 years, and have relied on the contours of this district for developing my campaign strategy for the 2020 election campaign. Although the district's lines have changed some since I was first elected, its base remains the northwest corner of North Carolina.

6. In serving the constituents of North Carolina's Fifth Congressional District for the past fourteen years, I am familiar with the contours of the district. Knowing these congressional district boundaries was pivotal in making my decision to run for office.

7. Because of the foregoing, granting Plaintiffs' Motion for Preliminary Injunction will necessarily harm the relationship between my constituents and me.

8. I formally submitted my Statement of Candidacy for the 2020 election on April 12, 2019. I am currently campaigning for the 2020 election. I am both raising and spending considerable campaign funds under the current contours of my district as I prepare for the 2020 election. Currently, I have \$2,892,872.62 cash on hand. I have spent nearly \$ 322,475.11 on my 2020 reelection campaign. Accordingly, the 2020 election cycle is well underway for me and my opponents.

9. The composition and boundaries of District Five were a critical factor in my decision to run for congress in that district. While the lines have changed multiple times since I was first elected to the House of Representatives in 2004, District Five has always contained Watauga County (my home county), Ashe County, Alleghany County, Wilkes County, Yadkin County, Alexander County and part or all of Forsyth County. While its eastern and southern boundaries have changed somewhat over the years, District Five has also often included Surry County and Stokes County.

10. Plaintiffs' requested injunction would require me to develop new relationships with new constituents. I will be forced to quickly and haphazardly understand their needs

and address their problems, which will necessarily differ from those of my current constituents.

11. I will also be required to quickly learn the contours of my new district prior to the next election. This will require me to spend significant campaign funds both to learn the contours of my new district as well as to develop relationships with new constituents. This will also require the additional expenditure of significant campaign funds to develop a new strategy to account for the new and different contours of my district. Since time would be of the essence to learn the new contours of my district and get to know the new constituents, I would need to do telephone banking, television advertisements, radio advertisements, and internet advertisements, all of which is more expensive and less persuasive than being able to do grassroots campaigning and speaking directly with my constituents. Unfortunately, while less expensive, grassroots campaigning is time consuming and it will not be practical to undertake such campaigning if the 2020 elections are not held under the 2016 Plan, because there is not enough time.

12. A ruling in Plaintiffs' favor will also cause confusion as some of my current constituents may be voting in new districts for the 2020 election. They will be confused as to which office seek help from for constituent services. This will cause delays in providing timely constituency service.

13. Similarly, because an order from this Court may adjust the district lines shortly before an election, this will cause confusion among my constituents in many other ways. Constituents may mistakenly believe that I am no longer the congressional candidate for their district. My office and I actually saw and heard directly from people in 2016 when the district lines changed while the primary was in operation that voters missed voting in the primary that really counted because they had voted in the first primary, assumed that their vote counted and did not vote in the "real" primary established after district lines were

redrawn. I personally had to talk to people multiple times to get them to vote in the "real" primary.

14. Generally, when constituents contact a Congressional office for assistance, it is a true plea for help. The staff in my offices have been with me for very long periods of time and have developed relationships with officials and constituents in the district that help facilitate the serving of the constituents. Forcing constituents to have to build trust with another office and work to get their problems solved would be a burden on them.

15. Granting Plaintiffs' Motion for Preliminary Injunction will force me to spend additional funds getting to know new districts. Approximately 59 individuals have contributed the maximum federally allowable \$2,800 this cycle to my re-election campaign's primary account. These individuals gave because of my actions in representing the current district. Any new map threatens my ability to continue to represent constituents and allows any competitor of mine to start with a fresh \$2,800 limit for their primary campaign. It is my understanding that under federal law I will not be allowed to solicit these major donors again during this primary campaign – even if my district is dramatically different than it is now.

16. Additionally, there is a risk that the new contours of my district will not include my residence. There is also a risk that I will be paired in another district with an incumbent.

FURTHER AFFIANT SAYETH NOT.

This the 21 day of October, 2019.

By: Virginia Foxx
Rep. Virginia Foxx

SWORN TO AND SUBSCRIBED BEFORE ME

This the 21 day of October, 2019.

NGUYET PALICH
Notary Public

My Commission Expires:

NGUYET M. PALICH
NOTARY PUBLIC DISTRICT OF COLUMBIA
My Commission Expires April 14, 2024

April 14, 2024



STATE OF NORTH CAROLINA
COUNTY OF WAKE

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
FILE NO.: 19 CVS 012667

REBECCA HARPER, *et al.*,

Plaintiffs,

v.

REPRESENTATIVE DAVID R. LEWIS,
IN HIS OFFICIAL CAPACITY AS
SENIOR CHAIRMAN OF THE HOUSE
SELECT COMMITTEE ON
REDISTRICTING, *et al.*,

Defendants.

AFFIDAVIT OF REP. RICHARD HUDSON

NOW COMES Representative Richard Hudson and, first being duly sworn, deposes and says as follows:

1. I am over the age of eighteen (18) and am competent to testify to the matters set forth herein. The following is true of my own personal knowledge and I otherwise believe it to be true.

2. I am the member of Congress representing North Carolina's Eighth Congressional District.

3. I have represented North Carolina's Eighth Congressional District since 2013. While the boundaries changed in 2016, both sets of district lines contained all or parts of Rowan, Cabarus, Stanley, and Montgomery Counties.

4. For the past six years, I have spent countless hours meeting with my constituents, developing relationships with them, understanding their problems and needs.



5. I therefore know what I must do as a congressman to serve my constituents and what legislation to support that best benefits my constituents. I have, accordingly, developed a campaign strategy that is tailored to appealing to the voters of North Carolina's Eighth Congressional District. I have therefore relied on the contours of this district for the past six years, and have relied on the contours of this district as drawn in 2016 for developing my campaign strategy for the 2020 election campaign.

6. In serving the constituents of North Carolina's Eighth Congressional District for the past six years, I am familiar with the contours of the district. Knowing these congressional district boundaries was pivotal in making my decision to run for office.

7. Because of the foregoing, granting Plaintiffs' Motion for Preliminary Injunction will necessarily harm the relationship between my constituents and me.

8. I formally submitted my Statement of Candidacy for the 2020 election on June 26, 2019. I am currently campaigning for the 2020 election. I am both raising and spending considerable campaign funds under the current contours of my district as I prepare for the 2020 election. Currently, I have \$1,096,422.64 cash on hand. I have spent \$584,598.27 on my 2020 reelection campaign. Accordingly, the 2020 election cycle is well underway for me and my opponents.

9. The composition and boundaries of District Eight were a critical factor in my decision to run for congress in that district.

10. Plaintiffs' requested injunction would require me to develop new relationships with new constituents. I will be forced to quickly and haphazardly understand their needs and address their problems, which will necessarily differ from those of my current constituents.

11. I will also be required to quickly learn the contours of my new district prior to the next election. This will require me to spend significant campaign funds to both learn the

contours of my new district as well as developing relationships with new constituents. This will also require the additional expenditure of significant campaign funds to develop a new strategy to account for the new and different contours of my district. Since time would be of the essence, to learn the new contours of my district and get to know the new constituents, I would need to do telephone banking, television advertisements, radio advertisements, and internet advertisements, all of which is more expensive and less persuasive than being able to do grassroots campaigning and speaking directly with my constituents. Unfortunately, while less expensive, grassroots campaigning is time consuming and it will not be practical to undertake such campaigning if the 2020 elections are not held under the 2016 Plan, because there is not enough time.

12. A ruling in Plaintiffs' favor will also cause confusion as some of my current constituents may be moved into new districts for the 2020 election. They will be confused as to which office to seek help from for constituent services. This will cause delays in providing timely constituency service.

13. Similarly, because an order from this Court may adjust the district lines shortly before an election, this will cause confusion among my supporters. My supporters may mistakenly believe that I am no longer the congressional candidate for their district. They will volunteer on other campaigns. The reverse is also a risk. My supporters may volunteer on my campaign despite their district lines changing and residing in a new district.

14. Granting Plaintiffs' Motion for Preliminary Injunction will force me to spend additional funds getting to know new districts and the voters living in those districts. Approximately 80 individuals have contributed the maximum federally allowable \$2,800 this cycle to my re-election campaign's primary account. Many of these individuals gave because of my actions in representing the current district. Any new map threatens my ability to continue to represent these individuals, and allows any competitor of mine to start with a

fresh \$2,800 limit for their primary campaign. It is my understanding that under federal law I will not be allowed to solicit these major donors again during this primary campaign – even if my district is dramatically different than it is now.

15. Additionally, there is a risk that the new contours of my district will not include my residence. There is also a risk that I will be paired in another district with an incumbent.

FURTHER AFFIANT SAYETH NOT.

This the 21 day of October, 2019.

By:

Richard Hudson
Rep. Richard Hudson

SWORN TO AND SUBSCRIBED BEFORE ME

This the 21 day of October, 2019.

NGUYET PALICH
Notary Public

Nguyet M. Palich



My Commission Expires:

NGUYET M. PALICH
NOTARY PUBLIC DISTRICT OF COLUMBIA
My Commission Expires April 14, 2024

April 14, 2024

STATE OF NORTH CAROLINA
COUNTY OF WAKE

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
FILE NO.: 19 CVS 012667

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Plaintiffs,

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REPRESENTATIVE DAVID R. LEWIS,
IN HIS OFFICIAL CAPACITY AS
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SELECT COMMITTEE ON
REDISTRICTING, *et al.*,

Defendants.

AFFIDAVIT OF REP. TED BUDD

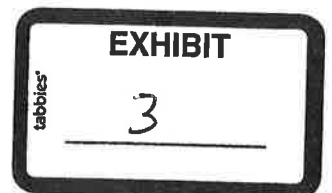
NOW COMES Representative Ted Budd and, first being duly sworn, deposes and says
as follows:

1. I am over the age of eighteen (18) and am competent to testify to the matters
set forth herein. The following is true of my own personal knowledge and I otherwise believe
it to be true.

2. I am the member of Congress representing North Carolina's Thirteenth
Congressional District.

3. I have represented North Carolina's Thirteenth Congressional District since
2017.

4. For the past two years, I have spent countless hours meeting with my
constituents, developing relationships with them, understanding their problems and needs.



5. I therefore know what I must do as a congressman to serve my constituents and what legislation to support that best benefits my constituents. I have, accordingly, developed a campaign strategy that is tailored to appealing to the voters of North Carolina's Thirteenth Congressional District. I have therefore relied on the contours of this district for the past two years, and have relied on the contours of this district for developing my campaign strategy for the 2020 election campaign.

6. In serving the constituents of North Carolina's Thirteenth Congressional District for the past two years, I am familiar with the contours of the district. Knowing these congressional district boundaries was pivotal in making my decision to run for office.

7. Because of the foregoing, granting Plaintiffs' Motion for Preliminary Injunction will necessarily harm the relationship between my constituents and me.

8. I formally submitted my Statement of Candidacy for the 2020 election on April 15, 2019. I am currently campaigning for the 2020 election. I am both raising and spending considerable campaign funds under the current contours of my district as I prepare for the 2020 election. Currently, I have \$664,695.20 cash on hand. I have spent nearly \$441,106.25 on my 2020 reelection campaign. Accordingly, the 2020 election cycle is well underway for me and my opponents.

9. The composition and boundaries of District Thirteen were a critical factor in my decision to run for congress in that district.

10. Plaintiffs' requested injunction would require me to develop new relationships with new constituents. I will be forced to quickly and haphazardly understand their needs and address their problems, which will necessarily differ from those of my current constituents.

11. I will also be required to quickly learn the contours of my new district prior to the next election. This will require me to spend significant campaign funds to both learn the

contours of my new district as well as developing relationships with new constituents. This will also require the additional expenditure of significant campaign funds to develop a new strategy to account for the new and different contours of my district. Since time would be of the essence, to learn the new contours of my district and get to know the new constituents, I would need to do telephone banking, television advertisements, radio advertisements, and internet advertisements, all of which is more expensive and less persuasive than being able to do grassroots campaigning and speaking directly with my constituents. Unfortunately, while less expensive, grassroots campaigning is time consuming and it will not be practical to undertake such campaigning if the 2020 elections are not held under the 2016 Plan, because there is not enough time.

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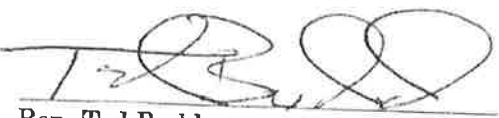
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FURTHER AFFIANT SAYETH NOT.

This the 21 day of October, 2019.

By:


Rep. Ted Budd

SWORN TO AND SUBSCRIBED BEFORE ME

This the 21 day of October, 2019.


Notary Public

My Commission Expires:

April 14, 2024

NGUYET M. PALICH
NOTARY PUBLIC DISTRICT OF COLUMBIA
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